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Doc#: 0410431050
Eugene "Gene" Moore Fee: \$20.50
Cook County Recorder of Deeds
Date: 04/13/2004 01:27 PM Pg: 1 of 6

THIS INSTRUMENT WAS PREPARED BY AND
AFTER RECORDING SHOULD BE RETURNED
TO:

John S. Mrowiec
Conway & Mrowiec
20 South Clark Street
Suite 750
Chicago, Illinois 60603
(312) 658-1100

SUBCONTRACTOR'S NOTICE & CLAIM FOR MECHANICS LIEN

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

To: See Attached Service List

The Claimant, Paniagua Group, Inc. ("Claimant"), an Illinois corporation, with an office at 1305 Remington Road, Suite O, Schaumburg, Illinois 60173, hereby files its Subcontractor's Notice and Claim for Mechanics Lien on the Real Estate (as hereinafter described) and against the interest(s) of Wells Street Tower, L.L.C., a Delaware limited liability company ("Former Owner"), and against any person claiming an interest in the Real Estate (as hereinafter described), by, through or under Former Owner including, without limitation, Walsh Construction Company of Illinois, Inc. ("Prime Contractor") or David R. Crawford ("Unit 3401 Current Owner") or David Kleiman and Angela Kleiman ("Unit 3400 Current Owners").

Claimant states as follows:

1. Since prior to October 26, 2000, Former Owner owned interest(s) as fee simple owner and, possibly otherwise, in the Real Estate commonly known as 701 South Wells Street, Chicago, Illinois (the "Former Real Estate"). On April 29, 2002, Former Owner recorded a Condominium Declaration regarding the Former Real Estate. After the Condominium Declaration, the individual condominiums built at Units 3400 and 3401 at 701 South Wells Street, Chicago, Illinois are legally

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Address: Unit 3400 and Unit 3401, 701 South Wells Street, Chicago, Illinois

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described as follows ("Real Estate"):

Parcel 1:

Units 3400 and 3401 in the Wells Street Tower Condominium as delineated on a survey of the following described real estate: parts of Block 101 and 102 in School Section Addition to Chicago in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian; which survey is attached as an Exhibit to the Declaration of Condominium recorded as Document Number 0020484524, together with the particular unit's undivided percentage interest in the common elements, all in Cook County, Illinois.

Parcel 2:

Non-exclusive easements for the benefit of Parcel 1 for ingress, egress, use, enjoyment and support as created by the Declaration of Covenants, Conditions, Restrictions and Reciprocal Easements recorded as document number 0020484523.

2. Prime Contractor, as general contractor, entered into a prime construction contract with Former Owner, or an agent of Former Owner or with one authorized or knowingly permitted to contract to improve the Real Estate, under which Prime Contractor agreed to perform general construction services for construction of a residential and commercial condominium improvements of the Former Real Estate and the Real Estate.

3. On June 27, 2003, Claimant entered into a Subcontract with Prime Contractor under which Claimant agreed to provide labor, materials and equipment to complete certain carpentry, metal stud, drywall and painting portion of the Prime Contractor's work limited to the Real Estate in exchange for payment of an original subcontract price of Seventy-Six Thousand Three Hundred Ten Dollars (\$76,310) subject to increase for alternates and additional or changed work (the "Subcontract").

4. At the special instance and request of the Prime Contractor, Claimant furnished extra and additional materials and extra and additional labor for improvement of the Real Estate to the extent and value of Eighty Five Thousand Two Hundred Thirty Four Dollars (\$85,234).

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5. The Subcontract was entered into and the work was performed by Claimant with the knowledge and consent of Former Owner, agent of Owner, Prime Contractor, Unit 3400 Current Owner and Unit 3401 Current Owners. Alternatively, Former Owner had authority to enter into contracts to improve the Real Estate.

6. Claimant substantially completed Claimant's Work under the Subcontract on January 15, 2004.

7. As of the date hereof, after allowing all credits, there is due, unpaid and owing to Claimant, the principal sum of One Hundred Thirty-Five Thousand Three Hundred Twenty-Five (\$135,325) for which, with interest, Claimant claims a lien against the Real Estate and on the funds due to the Prime Contractor.

8. Claimant contends that no apportionment or allocation of this Notice and Claim for Mechanics Lien is required by law. To the extent any such apportionment or allocation is deemed required, Claimant claims the following amounts of the \$135,325 principal sum owing against the following designated Units and respective associated interests in the common elements and easements:

Unit 3400 of the Real Estate	\$84,731.50
Unit 3401 of the Real Estate	\$50,593.50.

Claimant completed the last of its work on each of Units 3400 and 3401 of the Real Estate on January 15, 2004.

9. Claimant is not intending to claim a mechanics lien on any interest in the Former Real Estate but only in the Real Estate comprised of Units 3400 and 3401, those Unit's respective interest in common elements and easements.

10. Claimant revokes any waiver of rights given for which payment has not been received.

DO NOT PAY PRIME CONTRACTOR FOR WORK OR MATERIAL DELIVERED

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UNLESS YOU HAVE RECEIVED SATISFACTORY EVIDENCE OF PAYMENT TO PANIAGUA GROUP, INC.

Dated: April 13, 2004

PANIAGUA GROUP, INC.

By: 

Raul Alvarez, Vice President

THIS INSTRUMENT WAS PREPARED BY
AND AFTER RECORDING SHOULD BE RETURNED TO:

John S. Mrowiec
Conway & Mrowiec
20 South Clark
Suite 750
Chicago, Illinois 60603
(312) 658-1100

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AFFIDAVIT OF SERVICE

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

I, John S. Mrowiec, being first duly sworn on oath depose and state that on April 13, 2004, I caused to be served the attached Subcontractor's Notice and Claim for Mechanics Lien by sending a duplicate original thereof to each of the persons and entities listed below by certified mail, return receipt requested:

Walsh Construction Company of Illinois
929 West Adams Street
Chicago, Illinois 60607
Attn: Matthew M. Walsh, Registered Agent

Wells Street Tower, L.L.C.
c/o South Wells Street, L.P.
c/o 653 South Wells Corp.
642 South Clark Street
Chicago, Illinois 60605
Attn: David Kleiman, President & Registered Agent

David Kleiman
642 South Clark Street
Chicago, IL 60605

David Kleiman
701 South Wells Street
Unit 3400
Chicago, IL 60607

Angela Kleiman
701 South Wells Street
Unit 3400
Chicago, IL 60607

David Crawford
642 South Clark Street
Chicago, IL 60605


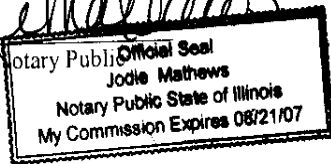
David Crawford
701 South Wells Street
Unit 3401
Chicago, IL 60607

Lehman Brothers Holdings, Inc.
3 World Financial Center - 12th Floor
New York, NY 10285-1200
Attn: Andrew Murray

Cole Taylor Bank
111 West Washington Street
Chicago, IL 60602-2703
Attn: Scott Nathanson, President


John S. Mrowiec

Subscribed and Sworn to
before me this 13th day of
April, 2004.

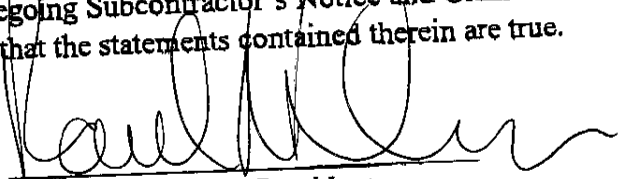



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STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

I, Raul Alvarez, being first duly sworn on oath, depose and state that I am Vice President of Claimant, am authorized as agent to execute this Subcontractor's Notice and Claim for Mechanics Lien on behalf of Claimant, that I have read the foregoing Subcontractor's Notice and Claim for Mechanics Lien and know the contents thereof, and that the statements contained therein are true.

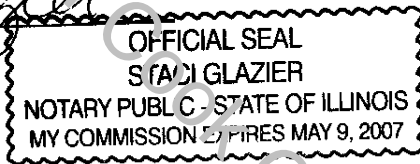


Raul Alvarez, Vice President

SUBSCRIBED AND SWORN TO
before me this ___ day of April, 2004.



Notary Public



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